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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/822,063
	<b>Filing Date</b>	April 8, 2004
	<b>First Named Inventor</b>	John F. Shanley
	<b>Group Art Unit</b>	3731
	<b>Examiner Name</b>	Unassigned
<b>Total Number of Pages in This Submission</b>	10 + 13 refs.	<b>Attorney Docket Number</b> P094

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Return postcard
<input checked="" type="checkbox"/> Information Disclosure Statement + PTO Form 1449 (9 pages)	<input type="checkbox"/> Request for Refund	2. Thirteen (13) references
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 - 1 page		
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Conor Medsystems, Inc. Cindy A. Lynch 043027
Signature	
Date	October 4, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 4450, Alexandria, VA 22313-1450 on the date shown below:

Dated: 10-4-04 Signature: (Abby Berghella)



Attorney Docket No. P094

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Dated: 10-4-04

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	John F. Shanley et al.		
Serial No.:	10/822,063	Art Unit:	3731
Filed:	April 8, 2004	Examiner:	Unassigned
For:	BIORESORBABLE STENT WITH BENEFICIAL AGENT RESERVOIRS		

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ A PTO-Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the office.
- 1b. A legible copy of :
- ☒ Each publication and foreign patent reference;
- ☐ Each publication or that portion which caused it to be listed on the PTO-1449;
- ☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
- ☐ all other information or portion which caused it to be listed on the PTO-1449.

2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - ☒ Before the mailing of the first Office action on the merits;
  - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)
- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent

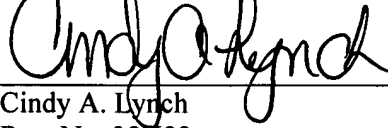
Application No. 10/822,063  
Attorney Docket No. P094

office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

6. ☒ This application is a Continuation-in-Part application under 37 C.F.R. §1.60 or §1.53(b) or (d).
- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial Nos. 10/057,414, 10/777,881 and 10/447,587 from which this application claims priority are not being submitted pursuant to 37 C.F.R. §1.98(d), however the Examiner should consider this information in accordance with MPEP §609(I)(A)(2).
- 6c. ☒ Copies of the foreign patents and publications listed on Form PTO-1449 are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement.
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Conor Medsystems, Inc. Deposit Account No. 50-3100.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,



Date: October 4, 2004

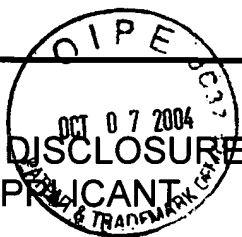
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Application No. 10/822,063  
Attorney Docket No. P094

Substitute for forms 1449A/PTO &amp; 1449B/PTO

# FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT



Attorney's Dkt. No.

PD94

Application No.

101822, D163

Applicant

SHANLEY ET AL.

Filing Date

4-8-04

Group

3731

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-20010027340		Wright et al.	10/4/01
	US-20010029351		Falotico et al.	
	US-20010125803		Vallana et al.	07/03/03
	US-20020007209		De Scheerder et al.	01/17/02
	US-20020028243		Bates et al.	
	US-20020032414		Ragheb et al.	
	US-20020038145		Jang	3/28/02
	US-20020068969		Shanley et al.	
	US-20020082680		Shanley et al.	06/27/02
	US-20020155212		Hossainy	10/24/02
	US-20030028244		Bates et al.	
	US-20030036794		Ragheb et al.	
	US-20030060877		Falotico et al.	03/27/03
	US-20030068355		Shanley et al.	
	US-20030100865		Santini et al.	05/29/03
	US-20030176915		Wright et al.	09/18/03
	US-20030199970		Shanley	
	US-20030216699		Falotico	11/20/03
	US-20040122505		Shanley	06/24/04
	US-20040127976		Diaz	07/01/04
	US-20040127977		Shanley	07/01/04
	US-20040144506		Shanley et al.	06/24/04
	US-4889119		Jamiolkowski et al.	
	US-4916193		Tang et al.	

Examiner Initials		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-

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# FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney's Dkt. No.

P094

Application No.

101 822, 063

Applicant

SHANLEY ET AL.

Filing Date

4-8-04

Group

3131

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-5085629		Goldberg et al.	
	US-5160341		Brenneman et al.	
	US-5443458		Eury	
	US-5609629		Fearnott et al.	
	US-5670161		Healy et al.	
	US-5797898		Santini et al.	
	US-5824049		Ragheb et al.	
	US-5873904		Ragheb et al.	
	US-5972027		Johnson	
	US-5992769		Wise	
	US-6071305		Brown et al.	
	US-6096070		Ragheb et al.	
	US-6123861		Santini et al.	
	US-6156062		McGuinness	
	US-6206915		Fagan et al.	
	US-6241762		Shanley	
	US-6254632		Wu et al.	
	US-6273908		Ndondo-Lay	
	US-6273913		Wright et al.	
	US-6287332		Bolz et al.	
	US-6293967		Shanley	
	US-6299604		Ragheb et al.	
	US-6338739		Datta et al.	
	US-6368346		Jadhav	

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Attorney's Dkt. No.

P094

Application No.

10/822,063

Applicant

SHANLEY ET AL.

Filing Date

4-8-04

Group

3131

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-6379381		Hossainy et al.	
	US-6423092		Datta et al.	
	US-6491666		Santini et al.	
	US-6506437		Harish et al.	
	US-6537256		Santini et al.	
	US-6551838		Santini et al.	
	US-6558733		Hossainy	
	US-6562065		Shanley	
	US-6585764		Wright et al.	
	US-6635082		Hossainy et al.	
	US-6656162		Santini et al.	
	US-6699281		Vallana et al.	
	US-6730064		Ragheb et al.	
	US-6730116		Wolinsky et al.	
	US-6752829		Kocur et al.	
	US-6758859		Dang et al.	
	US-6783543		Jang	
	US-5441515		Khosravi et al.	

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Substitute for forms 1449A/PTO & 1449B/PTO  <b>FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Attorney's Dkt. No. <u>P094</u>	Application No. <u>10/822,063</u>
	Applicant <u>SHANLEY ET AL.</u>	
	Filing Date <u>4-8-04</u>	Group <u>3731</u>

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Publication Date (mm-dd-yyyy)	Translation	
					Yes	No
	EP-0747069		EPO	12/11/96		
	EP-1172074		EPO	01/16/02		
	EP-1222941		EPO	07/17/02		
	WO-0010622		PCT	3/2/00		
	WO-0117577		PCT	3/15/01		
	WO-0226281		PCT	4/4/02		
	WO-04043510		PCT	05/27/04		
	WO-04043511		PCT	05/27/04		
	WO-9823228		PCT	6/4/98		
	WO-9836784		PCT	8/27/98		
	WO-9916386		PCT	4/8/99		
	WO-9949928		PCT	10/7/99		

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Substitute for forms 1449A/PTO &amp; 1449B/PTO

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P094

Application No.

10/822,063

Applicant

SHANLEY ET AL.

Filing Date

4-8-04

Group

3731

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Initials

Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

JENNIFER L. WEST, "Drug Delivery - Pulsed Polymers". Nature Materials, Vol. 2, November, 2003, pp. 709-710.

Examiner  
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